

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

MICHELLE BERTONIERE

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:09CV156KS-MTP

FIRST MARK HOMES, INC.; HAYES CREEK TURF, INC.;
DELTRICK McGAW; and JOHN DOES 1-10

DEFENDANTS

**AGREED ORDER OF DISMISSAL WITHOUT PREJUDICE
AS TO CLAIMS AGAINST HAYES CREEK TURF, INC.**

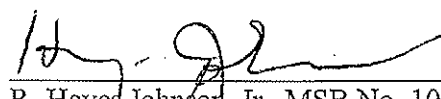
THIS DAY this cause was heard upon joint motion of Plaintiff and Defendant, Hayes Creek Turf, Inc., for entry of this Order dismissing Defendant, Haynes Creek Turf, Inc. from the above styled action, with prejudice. This Court, pursuant to the aforementioned agreement between Plaintiff and Defendant, is of the opinion that said motion is well taken and should be and is hereby GRANTED.

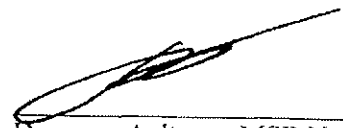
IT IS THEREFORE, ORDERED AND ADJUDGED AND DECREED that this cause against Hayes Creek Turf, Inc. be, and the same is hereby dismissed without prejudice, with the respective parties to bear their costs. All claims against First Mark Homes, Inc. and Deltrick McGaw remain pending.

SO ORDERED AND ADJUDGED, this 22nd day of March, 2010.

s/David Bramlette
UNITED STATES DISTRICT JUDGE

AGREED TO:


R. Hayes Johnson, Jr., MSB No. 10697
Attorney for Plaintiff,
Michelle Bertoniere



Dorrance Aultman, MSB No. 1661
*Attorney for Defendants, First Mark
Homes, Inc. and Deltrick McGaw*

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